

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Council Members

FROM/PHONE: William (Bill) F. Underwood, II/797-1050

DOCUMENT PREPARED BY: William (Bill) F. Underwood, II/797-1050

SUBJECT: RESOLUTION

AFFECTED DISTRICT: All

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

It is staff's understanding the Council wish to consider implementing a fee for solid waste management in the next fiscal year. Further, the Town would be using the Uniform Method of collection to bill and receipt the amounts. In order to implement the proposed assessment, for the next fiscal year, the Town must adopt the attached resolution which indicates the Town's intent to use the Truth in Millage (TRIM) process to levy the assessment.

PREVIOUS ACTIONS:

CONCURRENCES: Town Administration, Public Works, Town Clerk

FISCAL IMPACT:

Has request been budgeted? Not applicable

If yes, expected cost:

Additional Comments:

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s):

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Davie, Florida (the "Town") is contemplating the imposition of special assessments for the provision of solid waste management services and improvements; and

WHEREAS, the Town intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing solid waste management services and improvements to property within the incorporated area of the City as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2005, in the same manner as provided for ad valorem taxes; and

WHEREAS, the Town held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. Commencing with the Fiscal Year beginning on October 1, 2005, and with the tax statement mailed for such Fiscal Year, the Town intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing solid waste management services and improvements. Such non-ad valorem assessments shall be levied

within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

SECTION 2. The Town hereby determines that the levy of the assessments is needed to fund the cost of solid waste management services and improvements within the incorporated area of the Town.

SECTION 3. Pursuant to section 197.3632, Florida Statutes, the Broward County Property Appraiser and the Broward County Department of Finance and Administrative Services have agreed that the City may have until March 1, 2005 to adopt this Resolution, such agreements being attached hereto as Exhibit C and incorporated herein by reference.

SECTION 4. Upon adoption, the Town Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Broward County Department of Finance and Administrative Services, and the Broward County Property Appraiser by March 10, 2005.

SECTION 5. This resolution shall take effect immediately upon its passage and adoption.

PASS AND ADOPTED THIS _____ DAY OF _____, 2005.

MAYOR/COUNCIL MEMBER

Attest:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005.

EXHIBIT A

PROOF OF PUBLICATION

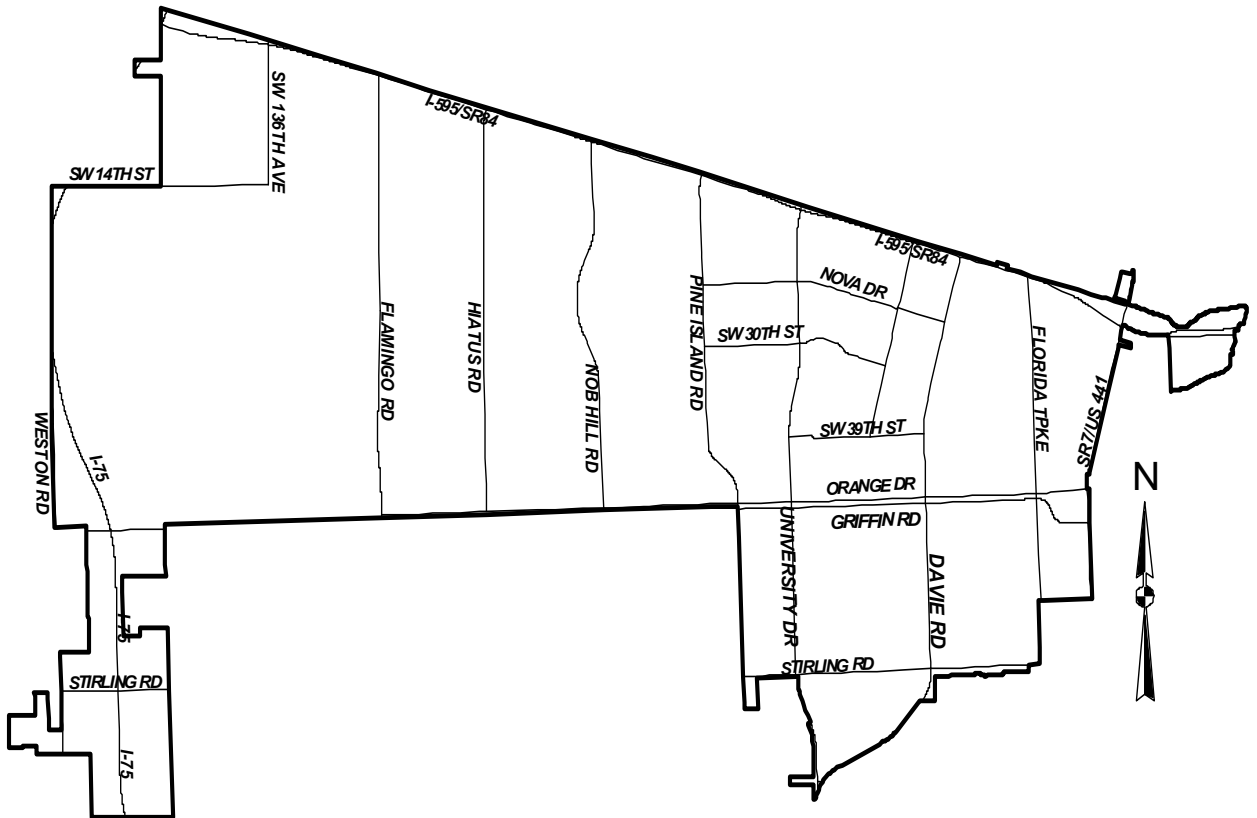
[PLEASE INSERT PROOF OF PUBLICATION]

EXHIBIT B

**TOWN OF DAVIE, FLORIDA
MORE PARTICULARLY DESCRIBED
AS**

[PLEASE INSERT LEGAL DESCRIPTION OF THE CITY]

TOWN OF DAVIE



NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

The Town of Davie, Florida (the "Town") hereby provides notice, pursuant to section 197.3632(3)(a), Florida Statutes, of its intent to use the uniform method of collecting non-ad valorem special assessments to be levied within the incorporated area of the Town, for the cost of providing stormwater management services and improvements commencing for the Fiscal Year beginning on October 1, 2005. The Town will consider the adoption of a resolution electing to use the uniform method of collecting such assessments authorized by section 197.3632, Florida Statutes, at a public hearing to be held at 7:00 p.m. on February 16, 2005 at Town Hall, 6591 Orange Drive, Davie, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at Town of Davie, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the Town with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact Office of the Clerk at (954)797-1000, three (3) days prior to the date of the hearing.

DATED this ____ day of ____ 2005.

By Order of:

TOWN OF DAVIE, FLORIDA

Publish in a newspaper of general circulation on the following dates:

January 19, 2005
January 26, 2005
February 2, 2005
February 9, 2005

APPENDIX C
AGREEMENT WITH PROPERTY APPRAISER
AND DEPARTMENT OF FINANCE
AND ADMINISTRATIVE SERVICES



Broward County Property Appraiser's Office
115 South Andrews Avenue, Room 111
Fort Lauderdale, Florida 33301
954-357-6830 • Fax 954-357-8474
www.bcpa.net

January 7, 2005

Mr. William F. Underwood, II
Budget and Finance Director
Town of Davie
6591 Orange Drive
Davie, FL 33314-3399

RE: Request for Deadline Extension

Dear Mr. Underwood:

The Broward County Property Appraiser's office grants your request for an extension of time to adopt a resolution under Chapter 197, Florida Statutes.

If you have any questions, please contact me at 954-357-6825.

Sincerely,

A handwritten signature in black ink that reads "Holly M. Cimino". The signature is written in a cursive, flowing style.

Holly M. Cimino
Director of Finance, Budget and Tax Roll Management

HMC

cc: Lori Parrish, Property Appraiser
Henry L. Templeton, Chief of Staff



Finance and Administrative Services Department
REVENUE COLLECTION DIVISION
115 S. Andrews Avenue, Room A430 • Fort Lauderdale, Florida 33301 • 954-357-7266 • FAX 954-357-8689

February 4, 2005

Mr. William F. Underwood, II
Budget and Finance Director
Town of Davie
6591 Orange Drive
Davie, FL 33314-3399

Dear Mr. Underwood:

Please accept this letter as confirmation for the extension of time to adopt a resolution under the Chapter 197, of the Florida Statutes for the adoption of Non-Ad Valorem assessment for Storm Water services.

If you required additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Janet E. Friel".

Janet E. Friel, SNA II
Revenue Collection Division